

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**DISTRIBUTION INTELLIGENCE
SYSTEMS, LLC,**

Plaintiff

v.

SMITH & NEPHEW, INC.,

Defendant.

Case No. 1:24-cv-00223-RP

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

Plaintiff, Distribution Intelligence Systems, LLC, on behalf of the parties, hereby stipulates to the dismissal with prejudice of all claims of infringement that were or could have been asserted in this Action, pursuant to Federal Rule of Civil Procedure Fed. R. Civ. P. 41(a)(1)(A)(ii) and 41(a)(1)(B) and according to the terms of an Agreement between the parties. Each Party will bear its own costs, expenses, and attorneys' fees.

Plaintiff files this Stipulated Motion on behalf of both parties as Defendant Smith & Nephew, Inc. has not yet made an appearance in this case. However, Plaintiff has conferred with Defendant's in-house counsel and Defendant agrees to the filing of this Stipulated Motion.

Dated: April 10, 2024

Respectfully Submitted,

/s/ Randall Garteiser

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

The undersigned attorney represents and confirms that a conference was conducted with opposing counsel prior to filing this Joint Stipulation, and counsel indicated its agreement with the relief requested herein.

/s/ René A. Vazquez

René A. Vazquez

CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on this Wednesday, April 10, 2024.

/s/ Randall Garteiser

Randall Garteiser